

United States District Court
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JAMES DRAUCKER,
#23-000262

v.

STATE OF TEXAS, et al.

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CIVIL ACTION NO. 3:23-CV-0089-S-BN

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION OF
THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. Objections were filed. The District Court reviewed *de novo* those portions of the proposed findings, conclusions, and recommendation to which objection was made, and reviewed the remaining proposed findings, conclusions, and recommendation for plain error. Finding no error, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

In connection with Plaintiff James Draucker's Objections to Findings, Conclusions and Recommendations ("Objections") [ECF No. 11], Plaintiff made a request for appointment of counsel. *See* Objections 8. For the reasons set forth in the findings, conclusions, and recommendation, the request is **DENIED**. Plaintiff has not shown that exceptional circumstances require the appointment of counsel under 28 U.S.C. § 1915(e)(1).

Finally, after filing the Objections, Plaintiff filed a Motion for Leave to Amend Complaint [ECF No. 12]. The Motion is **DENIED**. For the reasons set forth in the findings, conclusions, and recommendation, the Court finds that amendment would be futile.

SO ORDERED.

SIGNED July 13, 2023.



UNITED STATES DISTRICT JUDGE